

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

UNITED STATES OF AMERICA

Criminal Action No. 4:18cr00011

v.

KEVIN L. TRENT, JR.

**MOTION TO DISMISS FOUR § 1959(a) VICAR COUNTS IN THE INDICTMENT**

Comes now the defendant, Kevin L. Trent, Jr., by counsel, before trial as required by Rule 12(b)(3)(b)(v) of the Federal Rules of Criminal Procedure, and moves the Court to dismiss counts four, eight, fourteen, and eighteen of the First Superseding indictment, ECF No. 207, for failing to state an offense.

The aforementioned counts each charge that the Defendant, in violation of 18 USC § 1959(a), in aid of a racketeering enterprise did assault an individual with a dangerous weapon in violation of Virginia Code § 18.2-282. However, Virginia Code § 18.2-282 cannot serve as a predicate offense as alleged in the Indictment.

Respectfully submitted this 20th day of February, 2019,

KEVIN L. TRENT, JR.

By Counsel

/s/ Aaron L. Cook  
Counsel for Mr. Trent

/s/ James C. Turk  
Counsel for Mr. Trent

COOK ATTORNEYS, a professional corporation  
71 Court Square, Suite B, Harrisonburg, Virginia 22801  
(540) 564-9699; Fax (540) 564-9689; cook@cookattorneys.com

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of February, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to all parties.

/s/ Aaron L. Cook  
Counsel for the defendant

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